The whole Tryal and Indictment of

Sir JOHN BARLEY-CORN, Knt.

A Person of noble Birth and Extraction, and well known by Rich and Poor throughout the Kingdom of Great Britain. Being accused of several Misdemeanours, by him Committed against his Majesty's Liege People; by killing some, Wounding others, and bringing Thousands to Beggary, and as many a poor Family.

Here you have the Substance of the Evidence given against him on his Tryal; with the Verdict of the Jury. Also, the comical Defence he has made for himself; and the Character given him by some of his Neighbours, namely *Hewson* the Cobler, an honest Friend of Sir *John's*, who is entomb'd as a *Memorandum*, at the *Two Brewers* in *East Smithfield*.

Taken in Short Hand by Thomas Thompson, *Foreman of the Jury.*

Set and figured according to Order.

The TRIAL of Sir JOHN BARLEY-CORN.

BY a ſpecial Commiſſion of the Peace, held *October* the 16th, at *Full-Pot-Hall*, in the Kingdom of *Utopia*, before the Right Worſhipful Sir *Soloman Soberſides*, and Sir *Luciſer Belſwager*, Chief Judges of the Court of King *Bacchus*; the ſaid Sir *John Barley-Corn* was brought upon his Trial. The Court being ſat, and the Priſoner placed at the Bar, the Jury were called over as follows:

Timothy Toſs-Pot,	*Richard Standfaſt,*
Benjamin Bumper,	*John Stout,*
Giles Lick-ſpiget,	*John Never-ſober,*
Barnaby Full-Pot,	*Obadiah Thirſty,*
Lancelot Toper,	*Nicholas Spendthriſt,*
John Six-go-downs,	*Edmund Empty-Purſe.*

Againſt whom the Priſoner Sir *John* having made no Exceptions, the Clerk proceeded to open the Indictment, as follows:

Clerk, *Sir* John Barley-Corn, *hold up thy Hand, thou ſtandeſt here indicted by the Name of Sir* John Barley-Corn, *of the County of* Drink-Malt. *Kt. for that thou haſt in a very bold and audacious Manner, knocked down, killed, maim'd and deſpoil'd many of his Majeſty's good and lawful Subjects:* Alſo, *That thou haſt for many Years, and ſtill doth hold a traiterous Conſpiracy with* Barnaby Hop, *Eſq; and* Timothy Maſh-fat, *a Brewer, two as notorious Perſons as thyſelf, by and with their Aſſiſtance, to intoxicate the Heads of honeſt and well-meaning People, to the ruining and impoveriſhing of their Perſons and Eſtates, ſo that many a poor Man's Wife and Children ſit at home, wanting what they ſinfully waſte in thy inticing Company, as will appear by many credible Witneſſes, who are deplorabe Inſtances of the Truth of this Indictment: Therefore what ſay'ſt thou? Art thou Guilty of the Fact for which thou ſtandeſt indicted, or not Guilty?*

Sir *John*, Not Guilty.

Clerk, *How wilt thou be tried?*

Sir *John*, By the Opinion of all judicious Perſons.

Clerk, *Crier, make Proclamation.*

Crier, O yes, O yes: If any Perſon can inform the Judges of any Murders, Treaſons or other Miſdemeanors, committed by the Priſoner at the Bar, let them come into Court and they ſhall be heard in their ſeveral Orders.

Clerk, *Call* John Vulcan *the Blackſmith.*

Vulcan, Here.

Clerk, *Inform the Judges what thou haſt to alledge against the Priſoner at the Bar.*

Vul-

Vulcan, May it pleaſe your Honours, Worſhips, and the Gentlemen of the Jury; I am very well, nay very intimately acquainted with the Priſoner at the Bar, and that your Lordſhips will have Reaſon to judge when I have told you all: I am a Blackſmith by my Trade, and being liable to much Heat, I have for many Years had an unquenchable Spark in my Throat, which ſometimes, I may ſay often, going to quench with a Jingle Pot, Sir *John* has laid hold of me, and ſo drawn me in, that I have not been able to part without a Gallon; and when I would have gone about my Buſineſs, he has catched me faſt hold by the Noddle, trip'd up my Heels, and laid me flat on my Back, and made me unfit to go to Work for three Days after; and beſides, having my Head and my Bones aking the next Morning it has ſet my Wife's Tongue a going like a Paper Mill; ſo that with the Life I have liv'd on one Side, and having my Pocket pick'd at t'other Side, it makes me truly ſenſible of my Error, and that I think Sir *John* ought to be puniſhed for reducing Men at this rate; ſo that I can hardly keep a half Peck Loaf in my Cupboard for keeping him Company. This Gentleman is my Grievance, and I hope the Priſoner at the Bar ſhall be puniſhed accordingly.

Clerk, *Call* William Shuttle *the Weaver.*

Shuttle, Gentlemen, I have a few Things to alledge againſt the Priſoner at the Bar, and thoſe I ſhall ſum up in a very few Words, I am but a poor Man, and have a Wife and a great Charge of Children; I am a Weaver by my Trade but can ne'er ſit at my Loom, for this wicked Companion is inticing me from my Work; and is never quiet till he gets me to the Ale-houſe; and when I am there, I have no mind to come home again, where he always picks a Quarrel with me, and abuſes me, ſometimes he ſets upon me like a Robber or Foot-Pad, gets me Neck and Heels, throws me into a Ditch, and there leaves me till next Morning with never a Penny in my Pocket; ſo that if you hang him, behead him or quarter him, you have my free Conſent with all my Heart and Soul from the very Bottom of my Belly.

Clerk, *Call* Thomas Snip *the Taylor*, *What do you know of the Priſoner at the Bar?*

Snip, Know! I am ſure I know no Good of him, for my part I never car'd for his Company in my Life, for I always hated my Neighbour Mr *Wheat*, better than *Barley*: But one time as I was coming home from Work I eſpied Sir *John*, and

two

two or three good Fellows a Quarrelling; ſo what does I bu
ſteps in among them, and made them good Friends, Sir *John*
preſently picks a Quarrel with me, gave me ſuch a Knock o
the Crown, that I fell backwards, and had like to have be—
myſelf: I broke my Yard and both my Elbows, ſo that I coul
not Work for a Fortnight after: And what is ſtill worſe, he i
got acquainted with my Wife, and ſends her home in a Scold-
ing Mood every Night, and for my Part, unleſs I am as drunk
as ſhe, I dare not ſay Soul's my own; and if he continue
to debauch her in that drunken Manner, I am an undone Man:
Therefore I hope your Worſhips will take it into your Con-
ſideration, and put him to the ſame Death that I have pu
many of my Enemies to, that is, ſnap off his Head.

Clerk, *Call* Sarah Stitch. *Woman tell the Court what yo
know of the Priſoner at the Bar, Sir* John Barley-Corn; *an
ſpeak out that the Court and Jury may hear you.*

Sarah Stitch. Yes Sir, I will; I'm ſure I have reaſon enough
to ſpeak, that all the Town may hear me: May it pleaſe th
worſhipful Bench, I am a poor Journeyman Shoe-maker'
Wife, and there's hardly a Night that I come home from m
Buſineſs, for I ſell Fiſh about the Streets, but I find my Hus
band in Sir *John Barley-Corn*'s Company, and ten to one, if
ask him to come home and Sir *John* and he be very great, bu
he gives me a Kick of the Breech an't pleaſe your Honours
He can earn his ten Shillings a Week, but what by neglecting
his Work to follow Sir *John* up and down, and what he ſpend
in his Company, it hardly comes to ten Pence: We have thre
Children, and if I did not buſtle in the World, we might a
ſtarve; and what vexes me more is, when my Husband wa
arreſted by Mr *Wheat* the Baker, and in trouble, I went i
all haſte to his old Friend Sir *John Barley-Corn*, to ſee if I cou
borrow a Crown towards paying the Bailiffs; but inſtead o
lending me any thing, told me he did not value my Hu
band's Company, and that he had warn'd him ſeveral Time
to keep out of it; and yet this Fool when he had got Sixpen
in his Pocket, will run immediately and ſpend it with hi
So that if he be not puniſh'd ſome how or another, I and m
Children are like to trouble the Pariſh.

Clerk, *Call* James Wheat *the Baker.*

Wheat. Moſt reverend Judge, I have this to ſay againſt th
Priſoner at the Bar, that I am daily and hourly abuſed by hi
I have been a Man eſteemed of among the beſt of Peop
Lor

Lords, Knights and Squires; and none could pleaſe them ſo well as *James Wheat* the Baker: But the Caſe is alter'd, Sir *John Barley-Corn* is the Man that carries it. He is prefer'd in all Gentlemens Houſes, and is in Favour with all Servants, eſpecially the Butler: Many Country Gentlemen worſhip him, and fall down before him; nay, I can prove he has made many one conſume his Eſtate, ſell Houſes and Land, and leave his Family Beggars, and all to maintain this idle pernicious Companion Sir *John Barley-Corn*; and when Men have nothing left for the Fancy they bear to Sir *John Barley-Corn*, they'll rob or ſteal to keep him Company, when he is ſuch an ungrateful Fellow himſelf, that if they were ſtarving he would not give them a Meal's Meat: Therefore I hope your Honours will take it into Conſideration, and as a common Diſturbance and Grievance to Mankind, far beyond any Thief that ſteals their Goods, let him ſuffer Death according to his Demerits.

Sir Oliver Soberſides, Sir John, *you hear the Charge againſt you; what have you to ſay for yourſelf? You are repreſented as a deſtructive Perſon in the Commonwealth, and indeed, as the Evidence ſtands againſt you, unleſs you clear yourſelf, I cannot ſee but that you highly deſerve to ſuffer. It comes now in Courſe that you make your Defence.*

Sir Lucifer Belſwager, *I am of Opinion, Brother Judge, that* Sir John *will, and can fairly vindicate himſelf from this Charge, I would have no Man condemn him before he is hard: Nor can I ſee any Harm in keeping him Company, ſo long as he does not force them; it ſhews rather that he is a facetious merry Perſon, and of pleaſant Behaviour, that his Company is ſo deſirous: Therefore let's hear him before we determine any Thing.*

Sir *John*, I humbly beg that I may have the Benefit of the Law, the Benefit of every free-born Subject, to ſpeak for myſelf, as the old Proverb ſays, *Some had better ſteal a Sheep, than another look over the Hedge*; which is like my Caſe, and I'm afraid there is Malice and Bribery againſt me. Now I am accuſed by all theſe Perſons, I will anſwer them altogether, and ſpeak nothing but the Truth. In the firſt Place Gentlemen beſides making many an honeſt Man's Pot boil, I do Service to the Commonwealth by raiſing the Exciſe, a third Part, which is one of the beſt Branches of the Crown Revenue. I am deſervedly eſteem'd by all ſober and moderate People, for the Good I do, when ſeaſonably conſulted, and put to right Uſe: And whereas they ſay they are ruined by Sir *John Barley-*

Corn,

Corn, I will prove the Indictment to be wrong laid, for 'tis not *Barley-Corn* that does all this that they complain on, but my Uncle *Malt*; for I of myself am an ignorant Person, till I am found in his Company; therefore I hope you will not judge me for my Uncle's Faults, *but put the Saddle on the right Horse.*

Sir Oliver Soberſides, *Truly there is ſome Reaſon in that Mr* Malt, *what do you ſay for yourſelf? If you are not prepared, the Court is willing to grant you Time.*

Mr *Malt*, Now I am ready to anſwer for myſelf; As for my Part I will leave my Caſe to the Bench: Firſt, I pray conſider with yourſelves, all Trades will live, and altho' I ſometimes with my Couſin Sir *John*'s Help, make a Cup of good Liquor, and many Men come to taſte it, yet the Fault is in neither of us, but in them that make the Complaint; elſe let them ſtay till they are ſent for. Who can deny but that Mr *Malt* can make a Cup of good Liquor, by the help of a good Brewer, and when it is made, it muſt be ſold, I pray which of you all can live without it? Where elſe would you ſop your Toaſt and Nutmeg? And what would aſſwage the Thirſt of your Gammons and Red Herrings? were I to ſuffer, Lords, Knights and Squires would want their *March* Beer and *October* to treat their Tenants and Friends, Bottle-Ale and Stout would be wanting at *Iſlington* and *Highgate*, to treat your Wives with: Old Women would want Hot-Pots of Brandy and Ale, and the good Wife that Lies-in could have no Caudle. And conſider whether theſe Grievances would not overwhelm the ſlender Complaint of theſe ſcandalous Perſons.

Sir Lucifer Belſwager, *Truly, I cannot ſee wherein you are to blame at all if you make this appear. Have you no Witneſſes to call?*

Sir John *and Mr* Malt, Yes ſeveral: Call *William Fallow-field* the Plowman.

The Plowman enters. Gentlemen, I pray, may a Man ſpeak without Offence, that does intend to ſpeak the Truth, and no more?

The Judges, *Yes, thou may'ſt be bold to ſpeak the Truth, and no more, for that is the Cauſe we ſit here for: Therefore ſpeak boldly that we may underſtand thee.*

The Plowman. Gentlemen, in the firſt Place, let me hear what bold impudent Rogue dare ſpeak one Word againſt Sir *John Barley-Corn*? Whoſoever he is, he is no better than a Rogue, a Thief, a Vagabond, a Traitor to the Brown-Loaf, a Thief to the Braſs Pot, the Oven and the Spit. Nay he is a

Trai-

Traitor to the whole World, as would take away the Life of so noble a Man as Sir *John Barley-Corn*, for he is a Man of an ancient Houſe, and is come of a noble Race; there is neither Lord, Knight or Squire, but they love his Company, and he theirs, as long as they do not abuſe him; he will abuſe no Man, but doth a great deal of Good, as I can make appear in many kind of Ways. And in the firſt Place few Plowmen can live without him; for if it were not for him we could not pay our Landlords their Rents, and then I pray, what would ſuch Men do for Money and fine Cloaths? Nay, your gay Ladies would care but little for you, if you had not your Rent coming in to maintain them? And we could not pay it, but that Sir *John Barley-Corn* feeds us with Money; and yet would you ſeek to take away his Life? for ſhame let your Malice ceaſe, and pardon his Life, or elſe we are all undone.

Enter Mr Grains *the Brewer*, Gentlemen, I beſeech you hear me ſpeak, my Name is *Grains*, a Brewer, and I do believe few of you can live without a Cup of good Liquor, no more then I can tell how to live without the help of Sir *John Barley-Corn*. As for my own part, I maintain a great Charge, and keep a great many Men at Work: I pay Taxes forty Pound a Year to his Majeſty, God bleſs him, and all this is maintain'd by the help of Sir *John*; then how can any Man for ſhame take away his Life?

Enter Mrs Full-Pot *the Hoſteſs*. Take his Life! I pray who is that which would take away his Life? It is Sir *John Barley-Corn*, Miſtreſs Hoſteſs; they ſay they would take off his Head: How! take off his Head, then they ſhall take off mine too. What impudent Rogues be they that ſay ſo? I am perſuaded that they be none that loves the poor Commonality: Surely, they be none but ſome miſerable Rogues that makes their Bags their God, heaping up their Cheſts with Money to ſtop the Devil's Mouth when he comes to fetch them; Such as theſe would have no Body live but themſelves; indeed, ſuch as theſe do not care to take off the Head of any Man, if they could but enrich themſelves by it. Away Vagabonds! away you Blood-ſucking Rogues! away you Muck-Worms of the World! you would have no Body live but yourſelves. I hope Sir *John* will ſtay among us, when *Old Nick* will fetch ſuch as you away by Ten at a Burthen. Gentlemen, I beſeech you not to take Notice of what ſuch Fellows ſay, for they care not what Blood they ſhed: As for Sir *John*, I know him to be an

honeſt

...ness Man, and never [illegible] Man, if they ...
...ble ... in so doing they ... the Law; for all they ...
... abuses them: I do protest to you Gentlemen, before ...
... take his Life, you shall take mine! Nay, I beseech you ...
... me leave to speak to you; if you put him to Death, all ...
... Land is undone, for there is not such another in the Land, ...
... can do as he can do, and hath done; for he can make a Cri...
... go, he can make a Coward to fight with a valiant Soldi...
... Sack, he can make a good Soldier feel neither Hunger or Co...
... Besides, for Valour in himself, there is few can encoun...
... with him; for he can pull down the strongest Man in ...
... World, and lay him fast asleep. Therefore I beseech ...
... Gentlemen, let him live, or else we are all undone.

Court, *Have you any more?*

Sir *John*, Yes, call Mr *Quarge* the Excileman.

Enter *Excileman*. Gentlemen, all that this Woman has ...
... before you is true; besides all other Benefits accruing by ...
... *John*, and his worthy Uncle Mr *Malt*: There are upwards ...
... eight Thousand five Hundred idle broken Fellows of us main...
... tain'd in *England*, besides in *Ireland* and *Scotland*; and if the...
... suffer, we and our Families must starve, for we are too l...
... to work: Therefore I hope among the rest, you will co...
... sider our Cases, and acquit the Prisoner.

Court, *Gentlemen of the Jury, who have heard the Evidence on both Sides, now as to the Validity of it, I find the soberest Per...sons are those of the Prisoner's; but that is to be left to you, to...gether.* Whereupon the Jury went out, and in half an Ho... return'd, and brought in their Verdict, *Not Guilty.*

Upon which they went to the Tavern, and compos'd this Song.

ALL you that be good Fellows, come listen unto me,
If that you keep the Ale-house, and merry Company;
My Name is Sir *John Barley-Corn*, which many know full well,
My Brother's Name is Master *Malt*, as many a one can tell.
Though *Smug*, the honest Blacksmith, on me doth fore-complain,
E'er long I know I shall not miss to shoot him through the Brain,
And honest *Will*, the Weaver, for all he is so stout,
I know he'll do his Endeavours to have the other Bout.
And *Nim*, the nimble Taylor, will venture his best Sheers,
Tell *Barley-Corn* and Master *Malt* doth take him by the Ears:
Though Master *Wood*, the Baker, be my younger Brother,
He'll not delay to try a Bout with me or any other.
There's not a Tradesman in this Land, that ever yet was born,
But will rebe a Touch, sometimes too much, of Sir *John Barley-Corn*;
Therefore all honest Tradesmen, a good Word for to give,
And pray that Sir *John Barley-Corn* may always with us live.